

PROSKAUER ROSE LLP

Michael T. Mervis
Timothy Q. Karcher
Eleven Times Square
New York, NY 10036-8299
Tel.: (212) 969-3000

Attorneys for Defendants-Appellants

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	
In re:	:
	:
	:
TRANSCARE CORPORATION, <u>et al.</u> ,	:
	:
	:
Debtors.	:
-----X	
SALVATORE LAMONICA, as Chapter 7	:
Trustee for the Estates of TransCare	:
Corporation, <u>et al.</u> ,	:
	:
Plaintiff,	:
	:
- against -	:
	:
LYNN TILTON, PATRIARCH PARTNERS	:
AGENCY SERVICES, LLC, PATRIARCH	:
PARTNERS, LLC, PATRIARCH PARTNERS	:
MANAGEMENT GROUP, LLC, ARK II CLO	:
2001-1 LIMITED, TRANSCENDENCE	:
TRANSIT, INC., and TRANSCENDENCE	:
TRANSIT II, INC.,	:
	:
Defendants.	:
-----X	

NOTICE OF APPEAL

Part 1: Identify the Appellant(s)

1. **Name(s) of appellants:** Patriarch Partners Agency Services, LLC, Transcendence Transit, Inc., Transcendence Transit II, Inc., and Ark II CLO 2001-1 Limited (collectively, “Defendants-Appellants”).
2. **Position of appellants in the adversary proceeding that is the subject of this appeal:** Defendants.

Part 2: Identify the subject of this appeal

1. **Describe the judgment, order or decree appealed from:** Defendants-Appellants, by their undersigned counsel, hereby appeal under 28 U.S.C. § 158(a) and Federal Rules of Bankruptcy Procedure 8002 and 8003, from the judgment entered against Defendants-Appellants by the United States Bankruptcy Court for the Southern District of New York on July 15, 2020 [Dkt. No. 141] (the “Judgment”) (annexed hereto as **Exhibit A**), pursuant to the *Post-Trial Findings of Fact and Conclusions of Law* of the United States Bankruptcy Court for the Southern District of New York, dated July 6, 2020 [Dkt. No. 138] (annexed hereto as **Exhibit B**), with respect to Counts 7, 10, and 11 of Plaintiff-Appellee’s Amended Complaint.
2. **State the date on which the judgment, order, or decree was entered:** the Judgment was entered on Wednesday, July 15, 2020.

Part 3: Identify the other parties to the appeal

The relevant parties to the judgment, order, or decree appealed from, and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Parties	Attorneys
Plaintiff-Appellee: Salvatore LaMonica (Chapter 7 Trustee)	Bijan Amini Avery Samet Amini LLC 131 West 35 th St., 12 th Floor New York, NY 10001 Tel: (212) 490-4700
Defendants-Appellants: Patriarch Partners Agency Services, LLC Transcendence Transit, Inc. Transcendence Transit II, Inc. Ark II CLO 2001-1 Limited	Michael T. Mervis Timothy Q. Karcher Proskauer Rose LLP 11 Times Square New York, NY 10036 Tel: (212) 969-3000

Part 4: Not Applicable (No BAP in this District)

Part 5: Signature

Dated: July 27, 2020
New York, New York

Respectfully submitted,

PROSKAUER ROSE LLP

By: /s/ Michael T. Mervis

Michael T. Mervis
Timothy Q. Karcher
Eleven Times Square
New York, NY 10036-8299
Tel.: (212) 969-3000
Fax: (212) 969-2900
Email: mmervis@proskauer.com
tkarcher@proskauer.com

Attorneys for Defendants-Appellants

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of July 2020, a true and correct copy of the foregoing was filed with the Clerk of Court using the CM/ECF system, which will send a notice of such filing to the Chapter 7 Trustee's counsel and the interested parties registered to receive ECF notification from the court.

/s/ Michael T. Mervis

Michael T. Mervis